IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

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| UNITED STATES OF AMERICA, | * | 4:13-cr-147 |
| Plaintiff, | * | |
| v. | * | |
| MO HAILONG & MO YUN, | * | ORDER |
| Defendants. | * | |

On December 16, 2014, the Court held a scheduling conference in the above-captioned case. Clerk's No. 157. During the hearing, Mo Yun requested a trial date in May 2015, whereas Mo Hailong requested a trial date in September 2015. The Government indicated that it would attempt to be prepared for trial on whatever date the Court sets, but that a May trial date may be ambitious.

The Court has carefully considered the parties' arguments regarding the trial date and finds that a September trial setting is most realistic and appropriate considering the vast quantity of discovery already disclosed, the strong likelihood of numerous complicated pretrial motions requiring rulings, and the overall nature of the case.[1] Accordingly, trial in this case is hereby scheduled to commence on September 14, 2015. The Court finds that the ends of justice served by granting a continuance to a September trial date outweigh the best interest of the public and both Defendants in a speedy trial so as to be excludable time under the Speedy Trial Act, 18 U.S.C. § 3161(h), for the following reason(s): (1) as to both Mo Hailong and Mo Yun, the time

[1] There is already a multi-part motion to compel on file in this case. As well, the parties have indicated they will likely file additional discovery motions and numerous motions to suppress, including motions regarding Foreign Intelligence Surveillance Act ("FISA") evidence.

of delay is excludable because the case is so unusual or complex that it is unreasonable to expect adequate preparation by any party for pretrial and/or trial proceedings (*see* 18 U.S.C. § 3161(h)(7)(B)(ii)); and (2) as to Mo Yun, the time of delay between her requested May trial date and the scheduled September trial date is additionally excludable because it is a reasonable delay for a defendant who is joined for trial with a codefendant whose time for speedy trial has not elapsed, and no motion for severance has been granted (*see id*. § 3161(h)(6)).[2]

The parties shall consult and attempt to reach agreement on any Rule 16 or other pretrial deadlines, including among other things, a discovery cutoff date and expert witness disclosure and report dates. By no later than January 7, 2015, the parties shall present agreed-upon pretrial deadlines to the Court; if no agreement has been reached, the parties may instead submit to the Court their requested pretrial deadlines for further resolution.

Mo Yun is hereby granted until December 24, 2014, to request joinder in Mo Hailong's Motion to Compel (Clerk's No. 153). The Government's deadline to respond to Mo Hailong's Motion to Compel is extended to January 9, 2015.

IT IS SO ORDERED.

Dated this __17th__day of December, 2014.

ROBERT W. PRATT, Judge
U.S. DISTRICT COURT

[2] Additional portions of the time period as to both Defendants are or will be excludable pursuant to 18 U.S.C. § 3161(h)(1)(D) for delay associated with the need to resolve pretrial motions.